IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE PIUS C.KURIAKOSE

WEDNESDAY, THE 28TH FEBRUARY 2007 / 9TH PHALGUNA 1928

WP(C).No. 5956 of 2007(H)

PETITIONER:

VIJAYAKUMAR K.G.,
MADHAVAPPILLIL HOUSE, PWD ROAD,
NETTOOR, MARADU P.O., TRIPUNITHURA.

BY ADV. SRI.SAJEEV KUMAR K.GOPAL
SRI.BINOY VASUDEVAN

RESPONDENTS:

1.CORPORATION OF KOCHI,
REPRESENTED BY ITS SECRETARY.

2.THE SECRETARY,
CORPORATION OF KOCHI.

BY ADV. MR.S.RAMESH BABU, S.C.

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 28/02/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

PIUS C. KURIAKOSE,J.

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W.P.(C)No.5956 of 2007

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Dated: 28th February, 2007

JUDGMENT

It is fairly conceded by the learned Standing Counsel for the Kochi Corporation that the issue is covered by the judgment of this court in **Ernakulam District Private Bus Operators Association v. State of Kerala** (2006(3) KLJ 770). The relevant portion of the judgment has been extracted in paragraph 3 of the Writ Petition. In view of the obvious position that the petitioner's bus having Registration No.KL.07/AH 9890 does not start at any point within the limits of the Kochi Corporation and it does not touch any bus-stand established by the Kochi Corporation on its route and its service does not end at a point within Cochin Corporation, there will be a declaration that the petitioner's bus having Registration No.KL.07/AH 9890 operating on the route Eramalloor-Chellanam is not liable to pay bus stand fee/cart stand fee. In view of the above declaration, the respondents/their agents/contractors are restrained from collecting bus stand fee/cart stand fee in respect of the petitioner's stage carriage having Registration No.KL.07/AH 9890.

The Writ Petition will stand allowed as above.

srd **PIUS C.KURIAKOSE, JUDGE**